REMARKS

This application has been reviewed in light of the Office Action dated June 21, 2007. Claims 1-18 are pending in this application, and have been amended to define still more clearly what Applicant regards as the invention. Claims 1 and 10-18 are in independent form. Favorable consideration is requested.

At paragraph 1 of the Office Action, Claim 3 and 6 were objected to because of informalities. Applicant has corrected these claims accordingly and, therefore, withdrawal of the objection to Claims 3 and 6 is respectfully requested.

Claims 15-17 were rejected under 35 U.S.C. § 101, as being directed to non-statutory subject matter. These claims now include the recitation "computer-readable," as requested by the Examiner. Accordingly, withdrawal of the Section 101 rejection is respectfully requested.

Claims 1-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. US 2002/0131084 (*Andrew*). Claims 1-5, 7-10, 12, 13, 15, 16, and 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,925,209 (*Boliek*). Claim 6 was rejected under 35 U.S.C. § 103(a) as being obvious from *Andrew*.

Claim 1 is directed to a method of compressing image data into a fixed size memory, the image data being arranged into a plurality of scans of bitstream data, the plurality of scans being ordered from a perceptually most significant scan to a perceptually least significant scan, each scan having associated therewith an attribute identifying whether the scan is either active or inactive. The method includes determining whether the scans are active or inactive, and encoding the determined active scans of bitstream data and

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discarding the determined inactive scans. The method further includes transferring the encoded scan bitstream data to the fixed size memory, and setting, if the fixed size memory becomes full, the attribute of a currently least significant scan of the active scans to inactive.

Among other notable features of Claim 1 are (1) determining whether scans of bitstream data are active or inactive, and (2) encoding the determined active scans of bitstream data and discarding the determined inactive scans.

Notably, Claim 1 recites "inactive scans." For at least this reason, Applicant submits that the method of Claim 1 is distinguishable from prior art processes that may encode all scans, whether active or inactive. Support for this feature is found in the present application, for example at page 27, lines 3-5, which refers to a specific case for lossless DCT encoding.[1] Further, Figs. 3B and 3C clearly indicate that where the scan is not active ("no" in steps 324 and step 346), subsequent encoding steps are not performed and the relevant method returns to the process next scan.

Andrew relates to storing coding image data in a storage of fixed memory size, and discusses encoding all scans of the bitstream data. The method of Claim 1, in contrast, recites "encoding the determined active scans of bitstream data and discarding the determined inactive scans." In this regard, reference is made to paragraph [0055] of *Andrew,* where it is observed that an active flag is discussed, but is used to indicate whether the entropy encoded stream is still to produce data, as opposed to the stream

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[1] It is of course to be understood that the references to various portions of the present application are by way of illustration and example only, and that the claims are not limited by the details shown in the portions referred to.

having being stopped. Notably, the entire stream is discussed as being entropy encoded, whether or not the active flag is set. Further, as seen at paragraph [0062] of *Andrew*, the active flag of *Andrew* is only considered after an entropy encoder has completed encoding a fragment of data. The method of Claim 1, in contrast, is directed to selective entropy encoding of the bitstream data to achieve speed enhancements and to reduce storage requirements. (See, for example, page 11, lines 7-22 of the present specification.) It is submitted that nothing in *Andrew* would teach or suggest these features.

Nothing in *Andrew* would teach or suggest (1) determining whether scans of bitstream data are active or inactive, and (2) encoding the determined active scans of bitstream data and discarding the determined inactive scans, as recited in Claim 1.

Accordingly, Claim 1 is believed to be patentable over *Andrew*.

Independent Claims 10-18 recite features which are similar in many relevant respects to those discussed above in connection with Claim 1. Accordingly, Claims 10-18 are believed to be patentable over *Andrew* for at least the reasons discussed above.

Boliek, as understood by Applicant, relates to an arrangement similar in some respects to that discussed in *Andrew*. *Boliek* discusses the use of a "selection flag" that is only checked after packets have been assigned to layers. The Examiner's attention is referred in this regard to *Boliek* at column 25, lines 40-49. The Examiner appears to equate the layers in *Boliek* to the "scans" recited in Claim 1. From a careful reading of *Boliek* it will be appreciated that the layers therein consist of compressed (encoded) coefficient data (see, e.g., column 9, lines 30-45). Accordingly, since this data is already encoded, the "selection flag" of *Boliek* cannot be considered one to apply to unencoded "determined active scans," as in the method of Claim 1. Accordingly, *Boliek* neither

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teaches nor suggests "encoding the determined active scans" and "discarding the determined inactive scans," as recited in Claim 1.

Nothing in *Boliek* would teach or suggest (1) determining whether scans of bitstream data are active or inactive, and (2) encoding the determined active scans of bitstream data and discarding the determined inactive scans, as recited in Claim 1.

Accordingly, Claim 1 is believed to be patentable over *Boliek.*

Independent Claims 10, 12, 13, 15, 16, and 18 recites features which are similar in many relevant respects to those discussed above in connection with Claim 1. Accordingly, Claims 10-18 are believed to be patentable over *Boliek* for at least the reasons discussed above.
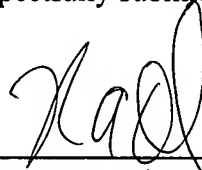
A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from Claim 1 discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

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